

UNITED STATES DISTRICT COURT

Central District of California

Interstate Fire & Casualty Company

BILL OF COSTS

V.

Case Number: EDCV 06-0593 VAP (OPx)

Pacific Employers Insurance Company, AND THE
RELATED COMPLAINT IN INTERVENTION

Judgment having been entered in the above entitled action on January 31, 2008 against Interstate Fire & Casualty Co.,
the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ 0.00
Fees for service of summons and subpoena	0.00
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case (Expedited or daily transcripts require prior Court Order.)	
1. Trial Transcripts, if requested by the Court or prepared pursuant to stipulation	0.00
2. Deposition Transcripts (includes non-expedited transcripts, the reporter's appearance fee, fees for binding, bates stamping, non-expedited shipping & handling, processing fee, ASCII disks, production and code compliance charge, electronic transmission charge, miniscripts and witness handling charges)	3,569.73
Fees and disbursements for printing	1,120.00
(The costs of copies of an exhibit attached to a document necessarily filed and served.)	
Fees for witnesses (itemize on page 2 of 3)	0.00
Fees for exemplification and copies of papers necessarily obtained for use in the case	0.00
Docket fees under 28 U.S.C. 1923 (if incurred)	0.00
Costs as shown on Mandate of Court of Appeals	0.00
Compensation of court-appointed experts	0.00
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	0.00
Other costs to be taxed pursuant to prior Court approval (please itemize)	0.00
TOTAL \$ 4,689.73	

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Please see attached service list

Signature of Attorney

Barbara J. Mandell, Esq.

Name of Attorney

For: Republic Western Insurance Company Date: February 11, 2008

Name of Claiming Party

Costs are taxed in the amount of _____

By:

Clerk of Court

Deputy Clerk

Date

1 ATTACHMENT RE: ITEMIZATION OF COSTS
2
3

4 Preliminary Statement

5 The taxation of costs lies within the trial court's discretion. *Thornberry v.*
6 *Delta Airlines*, 676 F.2d 1240, 1245 (9th Cir. 1982), remanded on other grounds,
7 461 U.S. 952 (1983). Litigation-related costs are reimbursable as long as they are
8 necessary expenses incurred in furnishing effective representation, and are not
9 regarded by the court as overhead expenses absorbed by counsel. *In re Media*
10 *Vision Tech. Sec. Lit.*, 913 F. Supp. 1362, 1372 (N.D. Cal. 1996). The standard of
11 reasonableness is to be given a liberal interpretation. *Id.* at 1368.

12
13 1. **Deposition Costs** – Deposition costs are taxable costs. Local Rule 54-4.6.

Date	Description	Amount	Exhibit
6/22/07	Deposition transcript of David P. Farrell	\$139.10	1-1
6/27/07	Deposition transcript of Keith Koeller, Esq.	\$240.01	1-2
7/19/07	Deposition transcript of Teresa Donahoe	\$1,010.18	1-3
7/20/07	Deposition transcript of Andrew Slear	\$ 939.67	1-4
8/2/07	Deposition transcript of Todd William Baxter, Esq.	\$1,240.77	1-5
Total		\$3,569.73	

1 2. **Photocopies** – Photocopies of exhibits filed and served are reimbursable
2 costs. (Local Rule 54-4.11(a). Costs, in general, are reimbursable as long the costs
3 are: (1) not normally absorbed as part of the firm's overhead; (2) necessary and
4 incidental to effective and competent representation; and (3) not excessive. (*In re*
5 *Media Vision Tech.*, *supra*, at 1367-1368.)

6 Document	7 Date	8 Exhibit	9 No. of	10 Total
11	12	13	14	15
Motion for Leave to File Complaint in Intervention	04/11/07	A B	11 15	26
Request for Judicial Notice in Support of Reply Re: Motion for Leave to File a Complaint in Intervention	04/30/07	A	5	5
Declaration of Barbara J. Mandell in Support of Reply Re: Motion for Leave to File a Complaint in Intervention	04/30/07	B C	16 4	20
Complaint In Intervention	05/10/07	A B C D	168 32 19 58	277
Ex Parte Application to Continue the Discovery Cut-Off date and Hearing	06/18/07	1-18	188	188
Reply Re: Ex Parte Application to Continue Discovery Cut-Off Date and MSJ	06/29/07	19	1	1
Evidence in Support of RWIC's Motion for Partial Summary Judgment	07/30/07	A-S	406	406

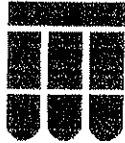
1	Supplemental Decl. of Mitch Ducey in Support of RWIC's Motion for Partial Summary Judgment as to Interstate	08/03/07	T	24	24
2	Supplemental Evidence (Declarations an Exhibits) In Support of RWIC's Opposition to the MSJ of Interstate	08/15/07	U V	8 1	9
3	Reply Re: RWIC's Motion for Partial Summary Judgment	08/20/08	W	8	8
4	Declaration of Charles Norris in Support of Judgment of RWIC	9/28/07	A B C D	1 3 27 24	55
5	Request for Judicial Notice in Support of Judgment of RWIC	9/28/07	E	23	23
6	Declaration of Charles Norris in Support of RWIC's Motion for Entry of Judgment	10/29/07	A B C D E	1 3 27 24 23	78
7	Evidence in Support of RWIC's Motion for Summary Judgment Re: Amount of Damages Owed by Interstate	12/17/07	1 2 3 4 5 6 7	13 89 75 27 3 3 1	211
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1	Reply Re: RWIC's Motion for	1/11/08	8	32	69
2	Summary Judgment Re: Amount of		9	31	
3	Damages Owed by Interstate		10	6	
4	Total number of pages = 1400				
5	Sub Total at \$0.20 per page = \$280.00				
6	1) Sub Total at 2 copies for service to opposing counsel = \$560.00				
7	2) Sub Total at 2 copies for filing with District Court = \$560.00				
8	Total Photocopying Costs (add numbers 1 & 2) = \$1,120.00				

10
11
GRAND TOTAL FOR ALL COSTS **\$4,689.73**

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Exhibit 1



Central Court Reporting

1001 Fourth Avenue, Suite 3200
Seattle, WA 98154
(206) 682-5896

No. S 25555

Federal Tax No.: 91-1709691

INVOICE

Date: 7/10/2007

Reference No.:

TO: Mr. Lorne Lilienthal
Micheelman & Robinson
15760 Ventura Boulevard, Suite 500
Encino, CA 91436

9/19/07
2ND NOTICE

Case: Interstate Fire & Casualty vs. Pacific Employers Insurance Co.

Date	Qty	Description	Amount
6/22/2007	34 pgs	One copy of the deposition of David P. Farrell (E-Transcript only)	93.50
	132 pgs	One copy of the exhibits to above deposition	39.60
		Shipping	6.00
			P A I D SEP XX 2007
		ENT'D SEP 24 2007	
		ENT'D SEP 24 2007	
			Total
			\$139.10

Thank You

Exh 1 Pg. 1

LUDWIG KLEIN REPORTERS & VIDEO, INC.

#784

10868 KLING STREET

TOLUCA LAKE, CA 91602

(800) 540.0681 Fax (818) 508.6326

INVOICE

INVOICE NO.	DATE	JOB NUMBER
155392	07/18/2007	02-51505
JOB DATE	REPORTER(S)	CASE NUMBER
06/27/2007	HILLBR	EDCV060593V
CASE CAPTION		
INTERSTATE FIRE & CASUALTY VS. PACIFIC EMPL		
TERMS		
Due upon receipt		

CERTIFIED COPY OF THE DEPOSITION OF:

KEITH KOELLER, ESQ.

240.01

TOTAL DUE >>> 240.01

RECD AUG 02 2007

ENT'D AUG 02 2007

THANK YOU FOR YOUR BUSINESS

WE NOW ACCEPT



TAX ID NO.: 95-3996239

(818) 783.5530

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MITCHELL DUCEY, ESQ.
 MICHELMAN & ROBINSON
 15760 VENTURA BOULEVARD
 SUITE 500
 ENCINO, CA 91436

Invoice No.: 155392
 Date : 07/18/2007
 TOTAL DUE : 240.01

Job No. : 02-51505
 Case No. : EDCV060593VAPOPX
 INTERSTATE FIRE & CASUALTY VS. PACIF

Remit To: LUDWIG KLEIN REPORTERS & VIDEO, INC.
 10868 KLING STREET
 TOLUCA LAKE, CA 91602

03784.0014

Exh 1 Pg. 2

Hunter + Geist, Inc.

1900 Grant Street

Suite 800

Denver, CO 80203

Phone: (303) 832-5966 Fax: (303) 832-9525

Job #: 070709LC

#785 Job Date: 07/09/2007

Order Date: 07/09/2007

DB Ref.#:

Date of Loss: / /

Your File #:

Your Client: Plaintiff in Intervention


Invoice

Invoice #: 54356

Inv.Date: 07/19/2007

Balance: \$0.00

Bill To:

Lorne D. Lilienthal, Esq.
 Michelman & Robinson, LLP
 15760 Ventura Boulevard
 Suite 500
 Encino, CA 91436

Action: Interstate Fire & Casualty Company

VS

Pacific Employers Insurance Company

Action #: EDCV 06-0593 VAP**Rep:** Lynnette L. Copenhaver**Cert:**

Item	Proceeding/Witness	Description	Amount
1	Teresa Donahoe	Appearance Fee - Hourly	\$100.00
2	Teresa Donahoe	Original Certified Transcript	\$787.90
3	Teresa Donahoe	E-Transcript	\$15.00
4	Teresa Donahoe	Minitranscript	\$25.00
5	Teresa Donahoe	Exhibits	\$82.28

Comments:

Thank You For Your Business!

Sub Total	\$1,010.18
Shipping	\$0.00
Tax	N/A
Total Invoice	\$1,010.18
Payment	\$1,010.18
Balance Due	\$0.00

Federal Tax I.D.: 84-0835207

Terms: Net 30 Days @ 1.5%

Please KEEP THIS PART for YOUR RECORDS.

Please FOLD then TEAR HERE and RETURN THIS PART with PAYMENT.

Bill To: Internal File No: 01/01/1999

Lorne D. Lilienthal, Esq.
 Michelman & Robinson, LLP
 15760 Ventura Boulevard
 Suite 500
 Encino, CA 91436

Deliver To:

Lorne D. Lilienthal, Esq.
 Michelman & Robinson, LLP
 15760 Ventura Boulevard
 Suite 500
 Encino, CA 91436


Invoice
Invoice #: 54356

Hunter + Geist, Inc.
 1900 Grant Street
 Suite 800
 Denver, CO 80203

Phone: (303) 832-5966

Fax: (303) 832-9525

Inv.Date: 07/19/2007

Balance: \$0.00

Job #: 070709LC

Job Date: 07/09/2007

DB Ref.#:

Date of Loss: / /

Your File #:

Exh. Pg.

Digital Court Reporting & Video, LLC
1445 North Loop West, Suite 325
Houston, TX 77008
Phone: 713.683.0401 Fax: 713.683.8935

INVOICE

Invoice No.	Invoice Date	Job No.		
6323	8/3/2007	2223		
Job Date	Case No.			
7/20/2007				
Case Name				
INTERSTATE FIRE & CASUALTY VS PACIFIC EMPLOYER INSURANCE COMPANY				
Payment Terms				
Due upon receipt				

RECD AUG 08 2007

Mitchell F. Ducey
Michelman & Robinson
15760 Ventura Blvd
Encino, CA 91436

2784.14

Certified Copy for the Deposition of:

Andrew Stear			819.00
E-Transcript		22.50	22.50
Admin Fee (Signature Processing, Binding & Certification)		80.00	80.00
UPS		18.17	18.17
	TOTAL DUE >>>		\$939.67

ENT'D AUG 06 2007

Tax ID: 20-5590437

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Document 219-2 #787

Filed 02/13/08 Page 11 of 41 Page ID

INVOICE

INVOICE NO.	DATE	JOB NUMBER
420358	08/02/2007	02-165679
JOB DATE	REPORTER(S)	
07/24/2007	WOODBA	

CASE CAPTION

Interstate Fire & Casualty Co. v. Pacific Employers Ins. Co.

TERMS

Net 30

Mitchell F. Ducey
Michelman & Robinson, LLP
15760 Ventura Blvd., #500
Encino, CA 91436

RECD AUG 08 2007

2784.14

Original & One Certified Copy - Deposition of:

Baxter, Todd William	966.57
Exhibits	103.20
Rough Draft Service	116.00
Handling Charge	55.00

TOTAL DUE >>> 1,240.77

AFTER 09/01/2007 PAY 1,364.85

LOCATION OF DEPO: Fresno, CA

ENT'D AUG 06 2007

TAX ID NO.: 95-2113145

Please detach bottom portion and return with payment.

Mitchell F. Ducey
Michelman & Robinson, LLP
15760 Ventura Blvd., #500
Encino, CA 91436

Invoice No.: 420358
Date : 08/02/2007
TOTAL DUE : 1,240.77
AFTER 9/1/2007 PAY : 1,364.85

Job No. : 02-165679
Interstate Fire & Casualty Co. v. Pa

Remit To: Hutchings Court Reporters, LLC
6055 E. Washington Blvd.
8th Floor
Los Angeles, CA 90040

19417
Exh 1 Pg. 5